



MEMO ENDORSED

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May 27, 2007

A handwritten signature, likely of D. Alan Rosinus, written in dark ink.

BY HAND

Hon. Debra Freeman
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 525
New York, New York 10007

Re: Davila v. Doar,
07 CV 5767 (SHS) (DCF)

Dear Judge Freeman:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo, attorney for defendant Robert Doar, who is sued in his official capacity as Commissioner of the New York City Human Resources Administration in the above captioned matter. I write to respectfully request that the time for Commissioner Doar to respond to the amended complaint in this matter be extended thirty days, to June 30, 2008. Commissioner Doar's response is currently due on May 30, 2008.

This is the second request for an extension of time for Commissioner Doar to respond in this matter. The Commissioner's response was initially due on May 1, 2008, and his first request for an extension of time to respond was granted. The additional time is necessary to permit us to investigate the Plaintiffs' factual allegations and legal claims and to prepare the Commissioner's response to the complaint.

The pro se plaintiffs in this case do not consent to this request. I have spoken with the Spanish-speaking Plaintiff Rafael Davila through Jesus Berrios, the brother-in-law of Plaintiff Rafael Davila and brother of Plaintiff Isabel Davila, who translated for Mr. Davila. Mr. Berrios informed me that Plaintiffs do not wish to consent to this request because they have already consented to the Commissioner's first request and because they believe that the matter was already decided on appeal by the Second Circuit's November 5, 2007 Mandate. However, that Mandate merely vacated this Court's sua sponte dismissal of Plaintiffs' complaint and remanded to this Court to allow Plaintiffs to file an amended complaint.

Robert Doar
Counsel for Defendant
5-29-08

MEMO ENDORSED

Thank you for your consideration of this request for an extension of time for Commissioner Doar to respond to the amended complaint until June 30, 2008.

Respectfully,



David A. Rosinus, Jr. (DR 2311)
Assistant Corporation Counsel

cc: By regular mail
Rafael and Isabel Davila
Plaintiffs pro se

*Granted. No further extensions
without good cause shown.*

SO ORDERED: DATE: 5/28/08

.....*Debra Freeman*.....

DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE